

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

JEFFERY S. RAPP,

Plaintiff,

vs.

HAMPTON MANAGEMENT LLC,

Defendant.

CV-18-0016-BU-BMM-JCL

ORDER

Plaintiff Jeffery Rapp filed a Complaint against Hampton Inns Management, LLC (“Hampton”) alleging “slander, liable, defamation” on January 30, 2018. (Doc. 9.) Hampton removed to this Court on February 22, 2018. (Doc. 1.) Judge Lynch entered Findings and Recommendations in this matter on May 9, 2018. (Doc. 22.) Judge Lynch recommended that the Court deny Rapp’s Motion for Summary Judgment. *Id.* at 1. Rapp timely filed an objection. (Doc. 27.) The Court reviews *de novo* Findings and Recommendations to which a party timely objects. 28 U.S.C. § 636(b)(1).

Rapp argues that he has plead sufficient facts to state a “deformation claim” under Montana law. (Doc. 27 at 1.) Rapp further argues that Defendant and their counsel have simply chosen “to ignore the facts and plead ignorance.” *Id.* Rapp

urges the parties to address the “plain and simple truth” and contends that the essence of our judicial system remains truth and justice for all. *Id.* at 3.

Rapp’s objection fails to state with specificity an objection to Judge Lynch’s Findings and Recommendations. Rapp’s objection restates his allegations from his Complaint. Judge Lynch determined that Rapp’s motion for summary judgment failed to comply with Federal Rule of Civil Procedure 56 and Local Rule 56.1(a). Judge Lynch determined that Rapp failed to demonstrate the absence of a genuine dispute of material facts. The Court agrees. Rapp has not met the standard required for the Court to grant summary judgment at this juncture.

CONCLUSION

The Court has reviewed de novo Judge Lynch’s Findings and Recommendations specifically objected to. The Court finds no error in Judge Lynch’s Findings and Recommendations, and adopts them in full.

IT IS ORDERED that Judge Lynch’s Findings and Recommendations (Doc. 23), are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Rapp’s Motion for Summary Judgment (Doc. 15) is DENIED.

DATED this 5th day of July, 2018.



Brian Morris
United States District Court Judge